

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

VICKI STOVALL,

Plaintiff,

v.

Civil Action No. AW-06-1552

THE RITZ-CARLTON HOTEL
COMPANY, LLC, *et al.*

Defendants.

*
*
*
*
*
*
*
*
*

MEMORANDUM OPINION

This case was filed against Defendants The Ritz-Carlton Hotel Company, LLC and The Ritz-Carlton Golf & Spa Resort Rose Hall, Jamaica (“Defendants”) on June 19, 2006. On that same day, the Clerk’s Office issued a summons as to Defendants. The time to effectuate service of process expired on October 19, 2006. Having received no indication that process was served on Defendants, the Court issued a Show Cause Order on October 25, 2006 directing Plaintiff to show cause as to why this case should not be dismissed. The very next day, Plaintiff filed a certificate of service with the Court indicating that Defendant The Ritz Carlton Hotel Company, LLC was served by private process server on June 21, 2006. Plaintiff then filed a response to the Court’s Show Cause Order on November 3, 2006 explaining that, although Plaintiff did not timely the affidavit of service, Defendant The Ritz Carlton Hotel Company, LLC was properly served during the time provided by the Federal Rules of Civil Procedure.

In light of Plaintiff’s response, the Court finds sufficient cause to vacate the Show Cause Order. Having been served on June 21, 2006, it appears that Defendant The Ritz Carlton Hotel Company, LLC has not yet answered or otherwise responded to Plaintiff’s Complaint. As such, the

Court will order Plaintiff to file motions for entry of default and for default judgment against Defendant The Ritz Carlton Hotel Company, LLC.

On November 6, 2006, Plaintiff filed a Motion for Extension of Time to Serve Defendant The Ritz Carlton Golf and Spa Resort Hall, Jamaica [9]. Defendants filed no response to this motion. In her motion, Plaintiff claims she has been diligently attempting, to no avail, to locate this particular Defendant or its registered agent for service of process. Consequently, Plaintiff requests additional time to effectuate service on this Defendant. Consistent with the discretion afforded this Court by Rule 4(m) of the Federal Rules of Civil Procedure, the Court will grant Plaintiff's motion and allow Plaintiff a period of sixty (60) days to effectuate service on Defendant The Ritz Carlton Golf and Spa Resort Hall, Jamaica.

CONCLUSION

For the reasons stated above, the Court will grant Defendant's Motion for Extension of Time [9]. An Order consistent with this opinion will follow.

December 1, 2006

Date

/s/

Alexander Williams, Jr.
United States District Judge